

Committee



Report of Head of Planning Services

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To: SCRUTINY COMMITTEE

DATE: 13/09/2017

Local Plan – Publication

Recommendation

- (a) To provide comments to Cabinet on the Publication version of the South Oxfordshire Local Plan and supporting documentation.
- (b) To consider the petition received in respect of the proposed development at Culham and provide comments to Cabinet.

Purpose of Report

1. To inform Members of the key proposed changes to the emerging Local Plan for South Oxfordshire and to provide Members with the opportunity to explore these prior to Cabinet and Council meetings.
2. To inform Members of the petition received in respect of the proposed development at Culham prior to this being debated at Cabinet and Council meetings.

Strategic Objectives

3. The delivery of the South Oxfordshire Local Plan will contribute towards four of the Council's six strategic objectives.
4. The Local Plan has a key role to play in delivering the District's future as it sets out the level and distribution of development to 2033, which will help to shape the future of South Oxfordshire.

5. The potential of Didcot, is a strategic objective, which is supported by the retention of the existing allocations of land at Didcot for residential and employment related development. To further support this, additional allocations for residential development have been proposed which reflect extant planning permissions.
6. A key role of the South Oxfordshire Local Plan is to identify sufficient employment and housing land for existing and future communities. This directly supports the strategic objective to deliver 'homes and jobs for everyone.'
7. The other strategic objective which the emerging Local Plan relates to is to 'build thriving communities'. In addition to the provision for different land uses, the policies within the plan will ensure that developers provide the necessary infrastructure to support the new communities

Background

8. All local authorities are under a statutory obligation to prepare a local plan. The current Development Plan for South Oxfordshire comprises saved policies of the Adopted Local Plan, Adopted Core Strategy and made Neighbourhood Development Plans. The emerging Local Plan will replace both the existing 'saved' policies of the Adopted Local Plan to 2011 and Adopted Core Strategy (2012).
9. We have previously consulted at the following stages

Issues and Scope – June 2014

Refined Options – February 2015

Preferred Options – June 2016

Second Preferred Options – March 2017
10. The first two stages of consultation were based on a plan period up to 2031. We are required to ensure that, once the plan is adopted, it has a life of 15 years from the date of adoption so that it provides an effective plan for future development. Our work programme indicates that the plan is likely to be adopted in 2018, therefore the plan period is to 2033.
11. The June 2016 Preferred Option version of the Local Plan did not contain all of the policies which would be used in the determination of planning applications.
12. The March 2017 Second Preferred Options version of the Local Plan complemented these earlier consultations and updated the Plan in terms of its evidence base and in response to representations made. It also included a full set of Development Management policies which would be used to determine planning applications.
13. The version of the Local Plan subject to this report is the Publication version of the Local Plan. It represents the version of the Local Plan which the Council intends to submit to the Secretary of State for examination.

14. Publication or 'regulation 19' public consultation is the first stage in the process of examining the Local Plan. It differs from previous consultations in that it is part of the Local Plan examination and the comments made are considered by the examining inspector rather than the council. The council does not need to formally consider or respond to them directly, although they will clearly be of interest and reviewed for information.
15. The council cannot make substantive changes to the Local Plan at this stage unless it chooses to withdraw the Plan from examination, modify, re-consult and re-submit. This might happen if a significant unforeseen matter arose through or during pre-submission consultation. It can make minor clarification or corrections, which is suggested to be delegated to the Head of Planning in consultation with the Cabinet Member for Planning.
16. Following pre-submission consultation, the council would submit the Local Plan in its current form to the Secretary of State for independent examination, together with the supporting evidence base studies and reports. The supporting material would include a summary of the representations made to the pre-submission consultation.
17. We intend to submit the Local Plan for examination at the end of the calendar year. As set out in the Local Development Scheme we anticipate that the Local Plan would be examined in Spring 2018 and adopted in Autumn 2018.
18. Following the examination, the inspector may recommend changes to the Local Plan, which the council would then consider (and usually accept unless there was a good Planning reason not to). A 'Modifications' version of the Local Plan would then be published for consultation, incorporating any recommended changes the council agrees. The Local Plan would then be finalised and adopted.
19. The publication version of the South Oxfordshire Local Plan will be supported by a further iteration of the Sustainability Appraisal, Habitats Regulations Assessment and a consultation report into the previous stage of the Local Plan.

Consultation responses to the Second Preferred Options & Petition

20. We received approximately 7,666 responses from 1,369 individuals and organisations to the Second Preferred Options version of the Local Plan. These responses were largely focussed on the following key issues;
 - Duty to Cooperate matters
 - Housing numbers
 - Proposed strategic allocations
 - Infrastructure
21. A consultation report which provides details of the comments received is attached at Appendix 3.
22. Outside of the Local Plan consultation period, but linked to consultation on the Didcot Garden Town Delivery Plan, a petition was received by the Council on 2

August 2017 requesting that the Council “Protect the Green Belt at Culham from loss, shrinkage or relocation through future development.” As the petition has in excess of 500 signatures it is entitled to a debate at Council, in accordance with the Council’s Constitution. The Garden Town Consultation Report was considered at a Joint Scrutiny meeting on 12 September 2017.

23. Given that the removal of land from the Green Belt at Culham and development of a strategic allocation comprising 3,500 new homes and a net increase of 2 hectares of employment alongside Gypsy and Traveller provision is proposed in the Local Plan, it is logical to consider the request of this petition alongside the next stage of the South Oxfordshire Local Plan process.
24. The Council within its planning framework does have the opportunity to designate land as it feels appropriate and such designations are then tested through public consultation and wider stakeholder engagement and through public inquiry.
25. The proposed strategic allocation at Culham is one of four proposed in the emerging Local Plan. It accords with the overall spatial strategy for the distribution of development in South Oxfordshire, in particular, the focus of development within Science Vale.
26. It is considered to be suitable, available and achievable in the Council’s assessment of land availability. It has capacity to provide circa 3,500 new homes, including affordable homes, which is a considerable contribution towards the overall housing needs of the district.
27. The site is one of three allocations proposed within the existing Green Belt. Culham Science Centre and the No.1 sites are major developed sites in the Green Belt. The land to the west, subject of the proposed allocation, does not perform strongly against all the purposes of including land within the Green Belt and this land was recommended to be considered for expansion and further assessment in the South Oxfordshire Green Belt report.
28. The relationship of the site to the rail station and existing employment use is recognised to be a further positive to weigh in favour of development taking place at this location. Development at this location also has the potential to support the delivery of strategic infrastructure.
29. It is considered that the positive benefits of this proposed development provide the exceptional circumstances to remove this land from the Green Belt and allocate the site for a large residential led scheme. It is recommended that this proposed strategic allocation remains in the Local Plan and the request of the petition is not agreed.

What level of development are we planning for?

Housing (Objectively Assessed Need OAN)

30. In April 2014, the councils across Oxfordshire published a Strategic Housing Market Assessment (SHMA), and this identified that South Oxfordshire needs additional housing beyond that which is planned for in the existing Core Strategy.

31. As well as this, Oxford City Council indicated that they would have difficulties in meeting their identified housing need entirely within the city boundary and that other districts across the county could be asked to consider taking some of this “unmet housing need.”
32. In response, we decided that we needed to review our existing plan and consider how we can plan for additional growth in the most advantageous and positive way.
33. The SHMA made recommendations in terms of a housing range that we should be planning for which recognised that the affordable housing evidence provided a basis for considering higher housing provision. This was presented in the form of a range which identifies a total need for between 14,500 and 16,500 homes for South Oxfordshire over the twenty-year period 2011-2031. This would equate to an annual provision of between 725-825 new homes.
34. Given that we anticipate that the adoption of this Local Plan will be towards the end of 2018 as set out in the published Local Development Scheme and that Government guidance requires Local Plans to have a time span of 15 years from the point of adoption, the annual requirement for housing has been rolled on for the additional two years.
35. Officers have advised that there is a risk in not adopting the upper end of the range set out in the SHMA of 825 homes per year. However, it is noted that the other planning authorities in the housing market area have progressed their Local Plans on the basis of the mid-point and have been found sound
36. The SHMA evidence considers that the provision of 750 dwellings a year would support economic growth in South Oxfordshire. This is primarily to meet the needs of our existing businesses wishing to expand and to allow for new business formation at similar rates to the past. A proportion of this provision would also meet the need for affordable housing in the district.
37. We have previously consulted upon making provision for 17,050 new homes to be delivered to meet the District’s own needs during the plan period (2011 to 2033). This equates to 775 homes a year, which reflects the midpoint of the recommended range in the SHMA. This is considered to be an appropriate response to meeting our housing needs, not only does this go beyond the committed economic growth housing requirement for South Oxfordshire, but also provides an uplift to deliver affordable housing identified in the Oxfordshire Strategic Housing Market assessment (SHMA).
38. The midpoint of the SHMA has been selected as the Objectively Assessed Need for housing which represents an appropriate and sound basis for the amount of new housing we need to plan for. This equates to 775 homes a year and a plan period total of 17,050 homes.

Employment

39. The South Oxfordshire Employment Land Review Addendum projects an increase of 12,403 jobs from 2011 to 2033, including an increase of up to 6,734 jobs in the office, manufacturing and distribution sectors (B class uses). This has been translated into land requirements and identifies a need for between 33.2 to

35.9 hectares of employment land to be provided in the plan period. We have proposed land allocations to accommodate at the upper end of this range.

Duty to Cooperate

40. Section 110 of the 2011 Localism Act inserts the Duty to Co-operate as a new Section 33A into the Planning and Compulsory Purchase Act 2004. Section 33A came into effect 15 November 2011. It is not retrospective. Section 110 of the Localism Act sets out the new 'Duty to Co-operate'. The duty:
 - Relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that fall within the remit of a County Council;
 - Requires that Councils set out planning policies to address such issues;
 - Requires that Councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
 - Requires Councils to consider joint approaches to plan making.
41. It imposes a duty on all planning authorities to work with neighbouring authorities and other prescribed bodies when preparing their development plan documents for 'strategic matters'. In particular, the duty states that the Duty to Co-operate applies to Local Planning Authorities, County Councils and other prescribed bodies.
42. The local planning authorities in Oxfordshire have a history of working together and have continued to work closely together at all levels through the Oxfordshire Growth Board. Most recently the Growth Board has coordinated the preparation of the Oxfordshire Strategic Housing Market Assessment and the work following this, including the preparation of an Oxfordshire wide Infrastructure Strategy.
43. Oxford City Council indicated that they would have difficulties in meeting their housing need set out in the SHMA and that other districts across the county could be asked to consider taking some of this "unmet housing need."
44. The extent of the unmet housing need has yet to be tested as the Oxford City Local Plan has not yet advanced to its examination stage. The Oxfordshire Growth Board proposed a working figure of 15,000 as the unmet housing need. The Growth Board also undertook an exercise to explore how this overall figure *could* be met by identifying a series of potential sites across Oxfordshire and to arrive at an apportionment approach.
45. South Oxfordshire did not agree to this apportionment approach and has sought to determine which sites to bring forward in the Local Plan to meet its own housing need and also to make contributions towards Oxford City's unmet housing need. It is not within the remit of the Oxfordshire Growth Board or another local planning authority to determine the location of land to be allocated in South Oxfordshire.
46. It should be noted that the approach South Oxfordshire has proposed to date, contained in the Second Preferred Options, has not met with the support of

Oxford City, Cherwell and West Oxfordshire and will likely be the subject of early debate at the Local Plan examination.

47. The Publication Local Plan does contain provision to meet a quarter of the unmet housing need from Oxford City. This is based upon the Oxfordshire Growth Board working figure of 15,000 homes to be addressed on a County wide basis shared between the four local planning authorities.
48. We are proposing to make contributions through the Duty to Cooperate to Oxford City to help meet some of their yet undetermined unmet housing need. We propose to make these contributions from 2021 onwards as part of a 'stepped' housing trajectory which reflects the build out rates associated with the strategic allocations proposed in our Local Plan. We do not identify any one site or location from where this unmet need will be delivered as this can be met across the housing market area. Identifying a particular site or location could constrain our ability to make housing contributions and reduce the flexibility to support the City's unmet housing need.
49. We have included a specific Local Plan Policy STRAT3 – 'The unmet housing requirements from Oxford City' to make contributions of 3,750 homes towards Oxford city's unmet housing needs and make a commitment to undertake a partial review of the South Oxfordshire Local Plan at such time as the Oxford City Local Plan is adopted and the level of unmet homes is known.
50. We consider that this is an appropriate and reasonable response to this matter pending completion of the Oxford City Local Plan.
51. A detailed schedule outlining all the actions taken in relation to the duty to co-operate is in preparation and will be submitted, along with the Local Plan, to the Secretary of State. In some instances, Officers aim to formalise more detailed arrangements through the drawing up Memoranda of Understanding - for example with the Local Enterprise Partnership and Oxfordshire County Council.

Strategic Sites and proposed development

52. In order to meet the level of housing required, there are a number of sources of housing supply which will ensure housing delivery across the plan period, and these include:
 - Strategic allocations proposed in this plan
 - Retained core strategy allocations
 - Existing planning commitments
 - Small scale (non-strategic sites) to be identified though neighbourhood plans or identified in this plan
 - Sites not yet identified that will come forward through the development management process in accordance with the policies in this plan, known as windfalls.

53. There are four proposed strategic allocations, Chalgrove Airfield (c.3,000), Land adjacent Culham Science Centre (c.3,500) Berinsfield (up to 1,700) and Oxford Brookes University, Wheatley (c.300).

Chalgrove Airfield

54. Land at Chalgrove Airfield has been proposed for mixed use development, comprising approximately 3,000 new homes, 5 hectares of employment land and up to 3 pitches for Gypsies and Travellers. This land is partially previously developed in nature and is flat and relatively free from constraints. It is not within the AONB, Green Belt and is within Flood Zone 1. It lies adjacent to a registered historic battlefield and the site is currently used by Martin Baker Ltd and owned by the Homes and Communities Agency.

Culham

55. Land adjacent to Culham Science Centres is proposed to deliver approximately 3,500 new homes, a net increase of employment land with the adjacent science centre and up to 3 pitches for Gypsies and Travellers. The site lies within the existing Oxfordshire Green Belt and it is proposed that this land be removed through the preparation of this Local Plan and a new inset boundary created. The exceptional circumstances to release this land from the Green Belt are set out in the Local Plan.
56. Oxfordshire County Council have raised concerns in respect of additional homes in the Science Vale area without the delivery of strategic transport infrastructure. This could impact upon the number of new homes that can be delivered at the strategic allocation at Culham during the Local Plan period to 2033.

Berinsfield

57. Land at Berinsfield is proposed for development only to support the regeneration of the existing settlement. The proposal is to deliver up to 1,700 new homes and 5 hectares of employment land. Berinsfield itself and the land identified for regeneration purposes lies within the existing Oxfordshire Green Belt and it is proposed that all of this land be removed through the preparation of this Local Plan and a new inset boundary created. The exceptional circumstances to release this land from the Green Belt are set out in the Local Plan.

Oxford Brookes University, Wheatley

58. Oxford Brookes University plan to relocate their existing uses at the Wheatley Campus into an existing site within Oxford City, leaving the site at Wheatley available for redevelopment. The strategic allocation is expected to deliver at least 300 new homes at this location.
59. The whole site is washed over by the Green Belt, however the redevelopment of a previously developed site in the Green Belt is not considered inappropriate development, where it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
60. Notwithstanding the above, officers still recommend that the land at the Oxford Brookes University Wheatley campus be removed from the Green Belt as part of

the strategic allocation and advise that there are exceptional circumstances to support this and that it provides a consistent approach to removing land to support proposed strategic allocations from the Green Belt. It is recognised that Cabinet has resisted this approach to date as it is considered that removing land from the Green Belt is not necessary as development can take place anyway and such a change would likely not be supported in the Publication version of the Local Plan.

Site allocations

61. The market towns and larger villages across the district are expected to accommodate 15% growth in homes from that which existed at 2011. The market towns are expected to deliver 1,155 additional new homes to 2033 and larger villages are to accommodate an additional 1,041 new homes. These are expected to be delivered through their Neighbourhood Development Plans and the Local Plan does not seek to make site allocations where these are in preparation.
62. The Local Plan also includes site allocations at Nettlebed where there is not a Neighbourhood Development Plan in preparation.
 - Land to the West of Priests Close, Nettlebed for 19 dwellings
 - Land at Joyce Grove, Nettlebed for 20 dwellings
 - Land to the west and south of the filling station, Nettlebed for 15 dwellings

Infrastructure

63. The Local Plan includes proposals to safeguard land for infrastructure which may be required during the lifetime of the Local Plan. This provides the opportunity to support the delivery of a number of identified transport schemes and is set out at Policy TRANS3.
64. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the infrastructure which is required to support the delivery of the Local Plan.
65. Each of the strategic allocations include details of the infrastructure required to support their delivery – this is updated through the schedule of changes attached at Appendix 2.

Key changes proposed to the emerging Local Plan

66. In response to consultation responses received to the Second Preferred Options version of the Local Plan and also to the updated evidence base, a number of changes to the emerging Local Plan are proposed. A list of these proposed changes are attached as an appendix to this report. Some of the changes necessary are minor and relate to typographical errors and to improve reader clarity which have not been included in Appendix 1. However there are several more significant changes proposed as below.

67. The proposed strategic allocation at Berinsfield has been reduced from up to 2,100 houses to up to 1,700 new homes. This change arises from the updated work of the Berinsfield project team.
68. The delivery of new homes in the plan period on land adjacent to the Culham Science Centre has been reduced. The overall allocation of land remains for approximately 3,500 dwellings.
69. The proposed site allocations at Crowmarsh Gifford have been removed from the Local Plan as a Neighbourhood Development Plan is now proposed to be produced for the settlement.
70. We have identified a further site allocation at Nettlebed for housing development on land to the west and south of the filling station for an additional 15 dwellings.
71. The implications of these changes and those set out in the section on strategic allocations have been carried forward in the supply of new homes to come forward in the table below. The completions to 2017 have been updated alongside the commitments figure.

Supply of new homes to come forward	Net number of dwellings
Completions 2011-2017	3,397
Commitments as at 31 March 2017 – sites under construction, with planning permission or resolution to grant planning permission and allocations carries forward from the Core Strategy (This will be amended)	9,343
New strategic allocations	6,975*
New Henley, Thame and Wallingford allocations	1,155
New allocations in the Larger Villages	1,041
Sites in the smaller villages (Neighbourhood Plans and infill sites) and windfall sites	500
Total	22,411

*strategic allocations continue to deliver beyond the plan period.

72. This has reduced the overall source of housing supply from 23,468 to 22,411 dwellings. Whilst this still exceeds our objectively assessed need figure and the contribution towards meeting some of Oxford City's unmet housing need, there are likely to be challenges to this through this examination and the reduced figure could have a limiting factor on our ability to respond quickly to potential recommendations from the Planning Inspector.
73. We no longer propose to remove land from the Green Belt at Wheatley for the Neighbourhood Plan. Under current regulations Neighbourhood Planning Groups cannot review the Green Belt through the preparation of their Plans and this remains the responsibility of the Local Planning authority. Discussions earlier in the year with Wheatley Neighbourhood Planning Group indicated that they wished to explore the potential of developing land within the existing Green Belt. In response, we consulted upon removing this land but requested that the Neighbourhood Development group provided the exceptional circumstances and

full proposals of development they wished to allocate. In the absence of this, the proposed removal of land is withdrawn.

Other

74. We propose to make changes to the Green Belt to accommodate the strategic allocations identified at Culham and Berinsfield.
75. We propose to safeguard existing Gypsy, Traveller and Travelling Showpeople sites and propose additional sites to meet the identified need. Further to the revised evidence regarding Gypsy, Traveller and Travelling Showpeople need, there is a reduction in the quantum of pitches and plots required which has been updated in the Publication version of the Local Plan.
76. The policies in Chapter 10: Town Centres and Shopping have been revised to reflect the updated evidence for comparison and convenience shopping need in South Oxfordshire.
77. The emerging Local Plan includes a full suite of development management policies to be used in the determination of planning applications, including those related to design, landscape, sports provision, town centres, water resources etc.
78. The Publication version of the Local Plan will be supported by a full Sustainability Appraisal and Habitats Regulations Assessment for the formal decision making process. Technical notes are provided in the appendices to this report for Scrutiny Committee.

Engagement

79. To provide information to Councillors and disseminate evidence that has been compiled, we have held a series of round table sessions. These sessions have proven extremely helpful to support the drafting of the plan from an officer perspective and to challenge the presentation of material.

Public consultation

80. The Local Plan will be published and available for consultation for six weeks (11 October – 22 November) and we are holding some drop-in events to support this process and to assist those who wish to make representations on the Local Plan. Details on the procedures and the tests of soundness will be provided to guide consultees.
81. This marks the start of a very different stage of the Local Plan preparation process where comments are only sought on issues of soundness and legal compliance. Unlike the earlier consultations, the Regulation 19 stage is not an opportunity for new ideas or new development proposals to be put forward for consideration. Officers have prepared guidance on the process, and a bespoke form for the submission of representations. Any person may make representations on the Plan and those made in accordance with the representation procedure will be forwarded to the Inspector to consider as part of the formal examination process. Representations may be made that relate directly to the following (all taken from the NPPF):

- Legal compliance

- Duty to co-operate
 - Soundness
82. This means that the Plan must be:
- Positively prepared - based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.
 - Justified - should be the most appropriate strategy when considered against the reasonable alternatives.
 - Effective - should be deliverable over the Plan period and based on effective joint working on cross-boundary strategic priorities.
 - Consistent with national policy - should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.
83. The publication period will be published in accordance with the Local Planning Regulations and the Council's adopted Statement of Community Involvement. A full engagement strategy is being prepared to support this stage.
84. The next steps in the process are as below
- Consultation on Publication Local Plan (Regulation 19) October 2017
 - Submission to Secretary of State (Regulation 22) Winter 2017
 - Examination in Public (Regulation 24) Spring 2018
 - Inspector's report (Regulation 25) Summer 2018
 - Adoption (Regulation 26) Summer 2018
85. A Consultation Statement, which sets out all of the consultation activities that have been carried out during the course of preparing the Plan, is being produced and will be submitted to the Secretary of State. The comments received throughout the process, along with the additional evidence prepared, have all been considered, as well as any changes to national policy and guidance.

Next Steps

86. Following publication, officers will consider representations received and, where appropriate, and with approval of the Cabinet Member, make minor changes to the Local Plan prior to submission to the Secretary of State for examination. At that stage, there will be the option to make minor changes to the Plan; however, in line with the National Planning Policy Framework, Planning Policy Guidance and statutory regulations, the Council should not be making significant changes, as to do so would necessitate a further stage(s) of consultation.
87. Unless there are any materially significant new issues raised during that period, it is anticipated that the Submission South Oxfordshire Local Plan, including any minor modifications, will be formally submitted to the Secretary of State, via the Planning Inspectorate, in December 2017.

Financial Implications

88. The preparation of the South Oxfordshire Local Plan is undertaken by officers within the Planning Policy team and is supported by an extensive evidence base. The activities of this team are met from the existing Planning Policy budget.

Legal Implications

89. The Publication version of the South Oxfordshire Local Plan has been produced for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“Local Planning Regulations”).
90. Local authorities are required by law to prepare a development plan for their administrative area and the process for doing that is governed by statute. The regulations require local authorities to notify and invite comments from a range of specified persons and organisations on their development plan proposals.
91. In the absence of an up to date Local Plan, South Oxfordshire remains vulnerable to challenge given that they are unable to demonstrate a robust five year housing land supply (HLS). In the absence of a five year HLS, local authorities are having imposed upon them by decision of the Secretary of State, planning permissions which need not necessarily comply with the current or emerging Local Plan. It is therefore essential that the Local Plan is progressed expeditiously if the threat of adverse planning decisions is to be avoided.
92. Section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by the s110 of the Localism Act 2011) (“s33A”) provides that local planning authorities must co-operate with other local planning authorities in maximising the effectiveness with which activities such as the preparation of local plan/development plan documents are undertaken so far as they relate to strategic matters. This ‘duty to cooperate’ requires the local authority to engage constructively, actively and on an ongoing basis in any process by means of which activities such as the preparation of Local Plan are undertaken.
93. If the person appointed to carry out the independent examination considers that the South Oxfordshire has not complied with its duty under s33A in relation to the preparation of its Local Plan the person can neither recommend adoption nor modifications and in such cases, South Oxfordshire cannot then adopt the Local Plan.

Equalities Impact Assessment

94. The Second Preferred Options version of the Local Plan was subject to an Equalities Impact Assessment which identified a number of minor changes to be made to the Local Plan. These have been incorporated within the Publication version of the Local Plan.
95. The council has reviewed the Publication version of the Local Plan to ensure that the objectives and policies have been prepared in line with our public sector equality duties to have due regard to the need to:
- eliminate any potential for unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

- advance equality of opportunity in service delivery and employment between people who share a protected characteristic¹ and those who do not
 - foster good relations between people who share a protected characteristic and those who do not².
96. The equalities officer has reviewed the objectives and policies, making suggestions to strengthen the policies where appropriate to take account of the needs people protected by the Act. Policy officers have considered these and where possible the policy has been updated to reflect the feedback. A copy of the Equality Impact Assessment can be found at appendix 4.

Risks

97. Failure to progress a Local Plan that identifies future development requirements for the area and strategic locations where these requirements can be accommodated will result in a policy vacuum, increasing the risk of ad hoc development proposals being submitted and potentially, to decisions being secured by appeal.
98. The absence of a Local Plan could result in an uncoordinated approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of cumulative implications and requirements for supporting infrastructure, with the potential for adverse environmental impacts.
99. The Council is currently in a position where it cannot demonstrate a sufficient level of land for housing and there are planning applications pending which have been submitted on this basis. It is therefore critical that progress is made on agreeing the emerging Local Plan. Any delay in progressing the Local Plan to submission and examination increases the risk of inappropriate development and lack of delivery of key infrastructure.

Conclusion

100. Comments are sought on this version of the emerging South Oxfordshire Local Plan to help shape this formal stage of plan making. The Publication version of the Local Plan is the one which the Council will publish and submit to the Secretary of State for examination. At that stage there will be the option to make minor changes to the Local Plan, however in line with the NPPF, PPG and statutory regulations the Councils should not be making significant changes. Review of the representations received to the Publication Local Plan will be managed through existing programme arrangements and representations packaged and passed to the Inspector considering the examination of the Local Plan.

¹ A 'protected characteristic' under the Act is colour, race, nationality, ethnic or national origin, disability, age, sex, gender reassignment, sexual orientation, religion, belief, marriage or civil partnership, pregnancy and maternity

² Bullets two and three do not apply to the protected characteristic of marriage and civil partnership

Background Papers

South Oxfordshire Local Plan

- Issues and Scope – June 2014
- Refined Options – February 2015
- Preferred Options – June 2016
- Second Preferred Options – March 2017

Supporting documents

- Sustainability Appraisal
- Habitats Regulations Assessment
- Oxfordshire Strategic Housing Market Assessment
- Assessment of Land Availability reports
- Viability Assessment
- Equality and human rights impact check
- Equalities Impact Assessment
- Infrastructure Delivery Plan
- Water Cycle Study
- Hotel Needs Assessment
- Retail and Leisure Needs Assessment
- Strategic Flood Risk Assessment
- Gypsy, Traveller and Travelling Showpeople Assessment
- Topic Paper: Housing need and supply
- Topic Paper: Transport
- Topic Paper: Employment
- Employment Land Review
- Retail Assessment
- Leisure Studies
- Green Belt Report
- Evaluation of Transport Impacts
- Sustainable Transport Study
- Landscape Capacity Assessment
- Green Infrastructure Study
- Settlement Assessment

Appendices

1. South Oxfordshire Local Plan – Publication document (draft)
2. Key proposed changes to the Local Plan
3. Summary report on the responses received to the Reg. 18 Local plan document – Second Preferred Options March 2017
4. Equalities Impact Assessment
5. Technical note – Habitats Regulation Assessment
6. Technical note – Sustainability Appraisal

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